

Notice of Allowability

Application No.

10/647,041

Examiner

Leo Boutsikaris

Applicant(s)

FAISS ET AL.

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2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed on 8/22/03.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 10/20/04.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/1/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the submitted drawings appear to be informal. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Allowable Subject Matter

Claims 1-20 are allowed.

Claims 1-20 are allowable over the prior art of record for at least the reason that even though the prior art discloses a method of splicing fiber optic cables, each cable having a core and a plurality of strength elements around the core, wherein before fusing of the cores, the strength members are unwound around the fusion area to reveal the cores, and after the fusion of the cores, they are rewound around the fusion area, the prior art fails to teach or reasonably suggest, regarding claims 1-11, a method of splicing first and second fiber optic cables comprising the step of replacing the strength elements of the second cable for a distance spaced from the junction, after the step of fusing the cores of the cables together at the junction, regarding claims 12-13, a method of splicing first and second fiber optic cables comprising the

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steps of cutting each of the first strength elements to the length of the removed second strength element it replaces and conductively joining the adjacent abutting ends of the first and second strength elements together, and regarding claims 14-20, a fiber optic cable splicing machine for joining together one of two cables to the other cable, comprising a winding mechanism for rewinding the strength elements of the one cable onto the core of the other cable in place of strength elements removed from the end of the said other cable, as set forth by the claimed combination.

Estabrook (US 4,846,545, Fig. 3) discloses a method of splicing together two fiber optic cables, each cable having a core 16 and a plurality of strength members 20, wherein, first the strength members 20 are unwound for a distance from the fusion area 26 to reveal the respective cores 16 (Fig. 3A), then the cores are fused together using the sleeve 24 (Fig. 3B), and subsequently, the strength members are rewound around the fusion area 24 (Fig. 3C), before compacting the rewound strength members with the cores they are wound on (Figs. 3C-3E). Eastbrook does not teach the step of cutting the ends of the second strength members in a staggered fashion and then rewinding the strength elements of the first cable onto the end of the second cable until they meet the cut end of a strength member of the second cable, thus replacing portions of the strength members of the second cable. In this way, the two cable ends are bound together, without any bulges in the composite cable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Leo Boutsikaris whose telephone number is 571-272-2308.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leo Boutsikaris, Ph.D.
Primary Patent Examiner, AU 2872
October 20, 2004

